



**TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION**

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In Re Application of: Peter J. Radusewicz, et al.

Application No.: 09/662,932

Filed: September 15, 2000

For: APPARATUS AND METHOD FOR ACTUATING A MECHANICAL
DEVICE

The owner, **GENERAL ELECTRIC COMPANY**, owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent Application No. 09/751,868, which is also owned in its entirety by **GENERAL ELECTRIC COMPANY**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that any patent granted on the instant application and a prior patent granted on the U.S. Patent Application No. 09/751,868 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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The undersigned is empowered to act on behalf of General Electric Company.

Terminal disclaimer fee under 37 CFR 1.20(d) of \$110.00 is included. .

Karl A. Vick

Signature

Karl A. Vick, Esq.

Senior Intellectual Property Counsel

GENERAL ELECTRIC COMPANY

Reg. No. 33,288

7-26-2004

Date